



Ninety-Ninth Legislature - First Session - 2005
Committee Statement
LB 530

Hearing Date: February 7, 2005

Committee On: General Affairs

Introducer(s): (General Affairs Committee, Aguilar)

Title: Change retail liquor license issuance considerations and eliminate certain oath requirements

Roll Call Vote – Final Committee Action:

Advanced to General File

Advanced to General File with Amendments

X Indefinitely Postponed

Vote Results:

| | | |
|---|---------------------|--|
| 5 | Yes | Senators Cornett, Erdman, Fischer, Janssen, Landis |
| 2 | No | Senators Connealy, Wehrbein |
| 1 | Present, not voting | Senator Friend |
| 0 | Absent | |

Proponents:

Laurie Lage
Hobert B. Rupe
Jim Moylan
Tom Workman
Diane Riibe
Simera Reynolds
Mark Vasina
Byron Peterson
Susie Dugan
Jak Cheloha
Frank LaMere
Judi Morgan Gaiashkibos

Representing:

Introducing for Senator Ray Janssen, District #15
Nebraska Liquor Control Commission
Nebraska Licensed Beverage Association
NU Directions
Project Extra Mile
Mothers Against Drunk Driving of Nebraska
Nebraskans for Peace
Nebraskans for Peace
PRIDE-Omaha, Inc.
City of Omaha
Self
Nebraska Commission of Indian Affairs

Opponents:

Tim Keigher

Kathy Siefken

Representing:

Nebraska petroleum Marketers & Convenience
Store Association
Nebraska Grocery Industry Association

Neutral:

Representing:

Summary of purpose and/or changes:

LB 530 would change retail liquor license issuance considerations, eliminate certain oath requirements for the filing of state excise taxes, and eliminate the report requirement for the keg registration program.

This bill contains three of the Nebraska Liquor Control Commission's recommendations for liquor law changes that were presented to the Governor as required by §53-117(9). The Commission must, under that statute, investigate the administration of laws in relation to liquor and write legislative recommendations for the Governor.

Section 1 amends §53-132, relating to licensing procedures for retail, bottle club, or craft brewery licenses, by deleting the word "shall" and replacing it with "may," so that the commission may grant a license if certain conditions are met, rather than being directed to issue a license.

Further amends the section by adding language stating that the Liquor Control Commission shall, when determining whether a license should be granted, consider the impact of an additional license on the services provided in the neighborhood or community, and whether the license could cause an increase in Liquor Control Act violations.

Section 2 amends §53-164.01, relating to taxes on liquor, by deleting language requiring certain reports to be submitted "under oath or affirmation."

Section 3 amends §53-165, relating to reports by alcoholic liquor manufacturers and wholesalers, by deleting language requiring monthly reports of sales and manufacturing to be returned to the commission "under oath."

Section 4 repeals the original sections.

Section 5 repeals outright §53-167.04, relating to keg registration program annual reports.

Explanation of amendments, if any:

Senator Ray Janssen, Chairperson